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Campbell-Ewald Company

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11 JOSE GOMEZ, individually and on
behalf of a class of similarly situated
12 individuals,

13 Plaintiff,

14 v.
15

16 CAMPBELL-EWALD COMPANY, a
17 Delaware corporation,

18 Defendant.
19

Case No.: CV 10-2007-DMG (CWx)

Assigned to Hon. Dolly M. Gee

**NOTICE OF CONSTITUTIONAL
QUESTION RE: THE
TELEPHONE CONSUMER
PROTECTION ACT AS APPLIED
TO NON-COMMERCIAL
SPEECH ON BEHALF OF THE
UNITED STATES NAVY**

1 **TO THE ATTORNEY GENERAL OF THE UNITED STATES, AND**
2 **ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

3 **NOTICE IS HEREBY GIVEN**, pursuant to Fed. R. Civ. P. 5.1, of a
4 challenge to the constitutionality of the Telephone Consumer Protection Act
5 (“TCPA”), 47 U.S.C. § 227(b)(1)(A)(iii). Campbell-Ewald Company (“C-E”) raises
6 its constitutional challenge to the TCPA in its Memorandum of Points and
7 Authorities in Support of Defendant Campbell-Ewald Company’s Motion for
8 Summary Judgment, Dkt. No. 116, a copy of which is attached hereto as Exhibit
9 “A”. Specifically, C-E argues that the TCPA is unconstitutional as applied to the
10 non-commercial speech on behalf of the United States Navy at issue in this case.
11

12 Dated: March 13, 2012

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15 By: /s/ Christine Reilly
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18 CAMPBELL-EWALD COMPANY
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